

Amendment No. 3 to SB2481

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Signature of Sponsor**

AMEND Senate Bill No. 2481

House Bill No. 2512*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 50-7-302(a)(4), is amended by deleting the language:

The administrator shall conduct random verification audits of one thousand five hundred (1,500) claimants weekly to determine if claimants are complying with the requirement of contacting at least three (3) employers per week or accessing services at a career center. The administrator shall disqualify any claimant receiving benefits who the administrator finds, as the result of a random audit or on information provided to the administrator, has provided false work search information for a period of not less than eight (8) benefit weeks. In determining whether the claimant is making a reasonable effort to secure work, the administrator shall consider the customary methods of obtaining work in the claimant's usual occupation or any occupation for which the claimant is reasonably qualified, the current condition of the labor market, and any attachment the claimant may have to a regular job;

and substituting instead the language:

The administrator shall verify whether claimants are complying with the requirement of contacting at least three (3) employers per week or accessing services at a career center. The administrator shall disqualify any claimant receiving benefits who the administrator finds has provided false work search information. In determining whether the claimant is making a reasonable effort to secure work, the administrator shall consider the customary methods of obtaining work in the claimant's usual occupation or

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occupation for which the claimant is reasonably qualified, the current condition of the labor market, and any attachment the claimant may have to a regular job;

SECTION 2. Tennessee Code Annotated, Section 50-7-303(a)(1)(A), is amended by deleting the subdivision in its entirety and substituting instead the following:

(A)

(i) If the administrator finds that the claimant has left the claimant's most recent work voluntarily without good cause connected with the claimant's work. Except as otherwise provided in subdivision (a)(1)(A)(ii)(b), the disqualification shall be for the duration of the ensuing period of unemployment and until the claimant has secured subsequent employment covered by the unemployment compensation law of this state, another state, or the United States, and was paid wages by the subsequent employment ten (10) times the claimant's weekly benefit amount. This disqualification shall not apply to a claimant who left the claimant's work in good faith to join the armed forces of the United States;

(ii)

(a) A claimant who has left the claimant's most recent work due to sickness, disability, or pregnancy shall be considered to have left voluntarily without good cause for purposes of disqualification under subdivision (a)(1)(A)(i);

(b) Notwithstanding subdivision (a)(1)(A)(ii)(a), a claimant who has left the claimant's most recent work due to sickness, disability, or pregnancy shall become eligible for unemployment compensation upon providing proof satisfactory to the administrator that the claimant:

(1) Was forced to leave the claimant's most recent work because the claimant was sick, disabled, or pregnant and such evidence is supported by competent medical proof;

(2) Provided written notification to the claimant's most recent employer that the claimant was forced to leave as described in this subdivision (a)(1)(A)(ii) as soon as it was reasonably practical to do so;

(3) Was able to return to the claimant's most recent work, and such evidence is supported by competent medical proof;

(4) Returned to the claimant's most recent work and offered to work and perform the claimant's former duties once the claimant was able, and the employer did not reemploy the claimant; and

(5) Is otherwise eligible to receive benefits under this chapter;

(iii) Nothing in subdivision (a)(1)(A)(ii) shall entitle a claimant, retroactively or otherwise, to receive benefits for the period in which a claimant is unable to work;

SECTION 3. If any provision of this act or its application to any person or circumstance is held invalid, then the invalidity shall not affect other provisions or applications of the act that can be given effect without the invalid provision or application, and to that end the provisions of this act shall be severable.

SECTION 4. This act shall take effect July 1, 2016, the public welfare requiring it, and shall apply to unemployment claims filed on or after that date.